PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

10/786,907

Filing Date:

2/25/04

Applicant:

Bjarne Bogen

Group Art Unit:

1643

Examiner:

Lynn Anne Bristol

Title:

MODIFIED ANTIBODY

Attorney Docket:

36731S-000001/US

Director of the United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. <u>LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION</u>

The patents, publications and other information requested to be considered by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

II. COPIES

A. Submitted herewith is a legible copy of (i) each foreign patent; (ii) each publication or that portion which caused it to be listed, other than U.S. patents and U.S. patent application publications unless required by the Office; (iii) each unpublished U.S. application listed below in Section IV (i.e., including the specification, claims, and any drawing of the application, or that portion of the application which caused it to be listed, including any claims directed to that portion), except for such applications filed on or after June 30, 2003, pursuant to the Waiver of the Copy Requirement in 37 C.F.R. 1.98 (OG Notice dated October 19, 2004); and (iv) all other information or that portion which caused it to be listed.

| | B. Any patents, publications or other information which are listed on Formation on the copies of PTO-892, but which are not enclosed herewith, we previously cited by or submitted to the PTO in one of the following application which has been relied upon for an earlier filing date under 35 U.S.C. § 120: | | |
|-----|---|--|--|
| | U.S. Serial Number U.S. Filing Date | | |
| | C. This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search report are listed on the attached Form 1449 for consideration by the Examiner and for listing on any patent resulting from this application. If the International Search report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g).) | | |
| 11. | CONCISE EXPLANATION OF THE RELEVANCE (check at least one box) | | |
| | A. Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required). | | |
| | B. A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)): | | |
| | 1. See the attached foreign patent office communication from a counterpart foreign application: | | |
| | 2. English translations are provided: | | |
| | 3. Other: | | |
| | C. The following additional information is provided for the Examiner's consideration. | | |
| | | | |

| V. | CROSS REFERENCE TO RELATED APPLICATION(S) | | | |
|----|--|--|--|--|
| | contain(s) subject n bringing this(these) | natter that may be related | ellowing co-pending application(s) d to the present application. By hiner's attention, Applicant(s) does U.S.C. § 122. | |
| | Serial No. | Filing Date | Inventor(s) | |
| | | | | |
| ٧. | THIS IDS IS BEING | FILED UNDER | | |
| | A. 🔀 37 C.F.R. § 1.9 | 97(b): (check <u>only</u> one box |) | |
| | than a contir | • | ate of a national application other on under § 1.53(d) (37 C.F.R. § uired. | |
| | forth in § 1.49 | | entry of the national stage as secation (37 C.F.R. § 1.97(b)(2)). No | |
| | 1.97(b)(3)). Office Action under 37 C.F 1.97(e) below | No fee or certification is ron the merits has been F.R. § 1.97(c) and see the crown, if no certification has | Action on the merits (37 C.F.R. § required. In the event that a first issued, please consider this IDS ie certification under 37 C.F.R. § been made, charge our depositions as required by 37 C.F.R. § 1.17(p) | |
| | | | Action after the filing of a reques .R. § 1.114. No fee or certification | |
| | В. 37 С.F.R. § 1. | 97(c): (check <u>only</u> one box |) | |
| | 1.113, a Noti | , | al Office Action under 37 C.F.R. § C.F.R. § 1.311, or an action that | |
| | 1. ☐ No certi by 37 C.F.R. | | the amount of \$180.00 is required | |
| | 2. See the | certification below. No fee | e is required. | |

| | C. 37 C.F.R. § 1.97(d): |
|------|---|
| | after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee. |
| | 1. See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p). |
| VI. | CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box) |
| | The undersigned hereby certifies that: |
| | A. \square each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F.R. 1.704(d) below in section VII, if applicable; or |
| | B no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)). |
| | C. some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS. |
| VII. | STATEMENT UNDER 37 C.F.R. 1.704(d) |
| | The undersigned hereby states that: |
| | each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this IDS. |

VIII. PAYMENT OF FEES (check only one box, if applicable)

A. A check in the amount of \$180.00 is enclosed for the above-identified fee.

B. Please charge Deposit Account No. 08-0750 in the amount of \$180.00 for the above-identified fee. A duplicate copy of this paper is attached.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 08-0750.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 08-0750.

Respectfully submitted,

Dated: August 13, 2009

Robert M. Siminski, Reg. No. 36,007 Fernando Alberdi, Reg. No. 62,688

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